



COMMONWEALTH of VIRGINIA
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January 27, 2006

Nancy Bullock
Office of Family Health Services
Virginia Department of Health
109 Governor Street
Richmond, Virginia 23219

Re: State Plan for Provision of Children's Specialty Services
12 VAC 5-191 et seq.

Dear Ms. Bullock:

I have reviewed the State Plan for the Children with Special Health Care Needs Program, 12 VAC 5-191-10, *et seq.* The amended regulations are constitutional and in conformity with the existing statutory provisions of the Code of Virginia.

The Board of Health has the authority to repeal the existing regulations at 12 VAC 5-190-10 et seq. and promulgate the new regulations under Va. Code §§ 32.1-12, 32.1-64.1, 32.1-65, 32.1-66, 32.1-67, 32.1-68, 32.1-69.1, 32.1-77, and 32.1-89. The regulations are consistent with the Board's mandate as essential to implement assistance for children with special health care needs. The Board of Health will not exceed its statutory authority to promulgate regulatory amendments. Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate these regulatory amendments in accordance with the requirements of the Administrative Process Act.

Very truly yours,

Robin V. Kurz
Special Counsel

